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August 8, 2023

MEMO ENDORSED

Hon. Chief Judge Laura Taylor Swain
United States District Court
500 Pearl Street
New York, N.Y. 10007
via ecf

Re: United States v. Christopher Scotto,
19 Cr. 26 (LTS)

Your Honor,

I write to update the Court on Mr. Scotto's progress post sentence and to request that the Court rule on whether Mr. Scotto's documented volunteer service qualifies as the community service he is required to complete as part of his sentence.

On October 14, 2021, the Court sentenced Mr. Scotto to three years probation, a period of home detention, and 300 hours of community service. Mr. Scotto successfully completed his home detention period, has continued to remain sober, and support his family. He has also secured a permanent position with the New York City Department of Sanitation.

During this time, with assistance of his original E.D.N.Y. probation officer, Mr. Scotto attempted to find a suitable community service position. Although he diligently pursued the one suggested by his original officer, he was unable to connect with the program.

Without expectation that his efforts would result in either remuneration or credit towards his community service, Mr. Scotto had been assisting elderly neighbors who lived in a nearby residential community. At his probation officer's suggestion that the volunteer work for his neighbors might qualify, Mr. Scotto got a letter confirming the work that he had been doing. The letter from Ethel Giordano, the President of the Conference Court Home Owner's Association, is attached. (Exhibit A)

Mr. Scotto's E.D.N.Y. probation officer spoke with Ms. Giordano and confirmed that she did in fact write the letter, that Mr. Scotto did do the work described-without being asked or hired to do so-and that he was not paid for it.

According to the letter Mr. Scotto performed 3-4 hours a week, sometimes twice a week for a period of seventeen months. If conservatively credited 4.5 hours a week, Mr. Scotto has performed more than three hundred hours of service.

I have spoken with A.U.S.A. Nicholas Chiuchiolo and Probation Officer Franklin Carvajal regarding this request. Both have indicated that they take no position on the application but instead defer to the Court.

Therefore I request that the Court find that Mr. Scotto's documented volunteer work satisfies the requirement that he perform three hundred hours of community service as part of his sentence.

Respectfully,

Lisa Scolari

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Based on the foregoing, the Court finds that Mr. Scotto's community service requirement has been satisfied.
SO ORDERED:

/s/ Laura Taylor Swain 8/21/2023

HON. CHIEF JUDGE LAURA TAYLOR SWAIN